

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Earl L. Ward,

Case No. 24-cv-03845 (LMP/TNL)

Petitioner,

v.

**ORDER**

Jodi Harpstead, Commissioner of Minn.  
Dept. of Human Services; Nancy  
Johnston, CEO of MSOP; and Terry  
Kneisel, MSOP-Moose Lake Facility  
Director,

Respondents.

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Petitioner Earl L. Ward has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Contemporaneously, he filed a Motion for Leave to Amend Complaint, [ECF No. 4], and an application to proceed *in forma pauperis* (“IFP”), [ECF No. 2]. This matter is currently before the Court on Ward’s Motion for Leave to Amend the Complaint. [ECF No. 4].

Although Mr. Ward requests leave to amend his complaint, he has filed a petition for habeas corpus relief. [ECF No. 1]. Labels aside, Ward requests leave to amend on the grounds that he filed the Petition in an effort to comply with 28 U.S.C. § 2244’s 1-year limitations period but there are additional claims or arguments he would like to raise in this habeas litigation. [ECF No. 4].

Generally, by operation of law, a party may amend his petition once without leave of the court. *See* Fed. R. Civ. P. 15(a). Nevertheless, to be clear that Ward may amend his petition, Ward's Motion for Leave to Amend Complaint, [ECF No. 4], is hereby **GRANTED**. Ward must submit his complete amended petition containing all the claims he would like this Court to consider within 14-days of the date of this Order, failing which his original Petition, [ECF No. 1], shall be subject to review pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.

IT IS SO ORDERED.

Dated: October 21, 2024

*s/Tony N. Leung*

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Tony N. Leung  
United States Magistrate Judge

*Ward v. Harpstead, et al.*  
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